

Design and Access Statement



Demolition of existing dwelling and erection of replacement self-build detached dwelling and garage, 31 Newbold Road, Kirkby Mallory, Leicestershire

October 2024

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Introduction

The purpose of this statement is to set out the context for, and to explain the design principles behind, a full application for the demolition of an existing dwelling and the erection of a replacement self-build dwelling and garage at 31 Newbold Road, Kirkby Mallory.

Paragraph 130 of the National Planning Policy Framework advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The framework of this statement follows the guidance set out in the CABE document entitled Design and access statements – how to write, read and use them. It also considers the guidance set out in relation to the content of Design and Access Statements in National Planning Practice Guidance.

This Design and Access Statement assesses the physical and socio-economic context of the site, relevant planning policy and the compliance of the proposal with this, and then assesses the proposal under six headings:

- Use/amount;
- Layout;
- Appearance;
- Landscaping;

- Scale; and
- Access;

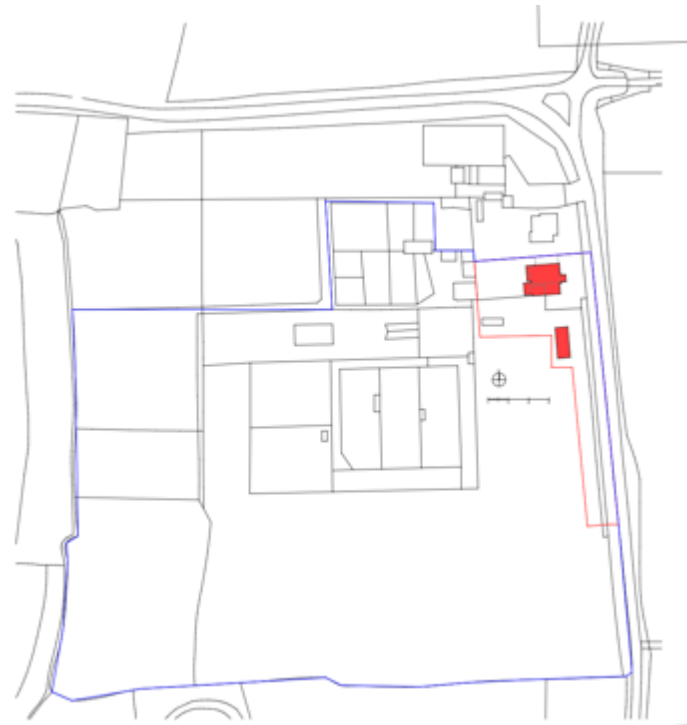
Physical, Social and Economic Context

Physical Context

Location

The site is located on the western side of Newbold Road, outside of the main built up area of the village. Whilst the application site lies in open countryside, there is another dwelling to the north with has a collection of outbuildings with it. The wider site, which is owned by the applicants, also includes a collection of outbuildings.

The access to the existing dwelling is from Newbold Road and this would be replaced with a new vehicular access further to the south on Newbold Road.



Location plan

As indicated above, the application site comprises the existing dwelling and residential curtilage of 31 Newbold Road.

The existing dwelling would be demolished to allow the erection of a new replacement self-build dwelling and garage block to be built for the applicants. As indicated in the planning history,

Physical, Social and Economic Context

below, the wider application site has previously had lawful uses for housing birds and for amateur radio operation, both of which have now ceased.

- [ERECTION OF HOUSING & SHELTERS FOR POULTRY AND EMUS AND ALTERATION OF ACCESS](#)

Ref. No: 97/00312/FUL | Status: Planning Permission

- [ERECTION OF CONSERVATORY](#)

Ref. No: 92/00987/4 | Status: Planning Permission

- [ERECTION OF AMATEUR RADIO MAST TO SUPPORT VARIOUS FORMS OF AERIALS FOR TRANSMITTING AND RECEIVING IN CONNECTION WITH HOBBY OF LICENSED RADIO AMATEUR NO COMMERCIAL CONNECTION](#)

Ref. No: 85/00347/4 | Status: Planning Permission

Social Context

It is important to assess the affect that any development proposal will have on people in the locality to ensure that there is no adverse effect on residential amenity or the character and appearance of the area. The scheme has been carefully designed such that the scale and massing of the building would ensure that the nearby residents would not therefore be adversely affected by the development in terms of overlooking, loss of light or by the creation of any overbearing effect.

In terms of the effect of the development on the character and appearance of the area, the proposed development would be of a high quality design and appearance. Accordingly, it is considered that whilst the character of the site would change, the change would be beneficial, as it would result in a significant enhancement to the wider area.

Economic Context

The proposed development entails the creation of a replacement dwelling, which would create new employment opportunities in the area by virtue of the construction of the development. This will require skilled and unskilled workers and will thus result in positive economic benefits.

National Planning Policy Framework

The National Planning Policy Framework ('The Framework') sets out the Government's planning policies for England and how these are to be applied. The framework advises that the purpose of the planning system is to contribute to the achievement of sustainable development, and this is made up of three objectives:

- an economic objective i.e. contributing to building a strong, responsive and competitive economy;
- a social role i.e. supporting strong, vibrant and healthy communities; and
- an environmental role i.e. contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 8 advises that the above overarching objectives are interdependent and need to be pursued in mutually supportive ways.

Paragraph 11 states that there is a presumption in favour of sustainable development and that this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining applications are out-of-date, granting planning permission unless the adverse impacts of doing so would significantly and demonstrably

outweigh the benefits. In this case, the policies of the development plan are out-of-date due to the local planning authority not being able to demonstrate a five year supply of deliverable housing sites and the proposal would not give rise to any significant adverse impacts set against the benefit of the provision of a new dwelling which would improve the range of accommodation available locally and contribute towards the provision of a five year housing land supply in the Borough.

Paragraph 83 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (including by supporting local services). The creation of a replacement dwelling in the rural area where villages such as Kirkby Mallory contains local services and facilities would help support them as advocated by the Framework.

Paragraph 130 of the National Planning Policy Framework advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Furthermore, good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 states that planning (policies and) decisions should ensure that developments will:

National Planning Policy Framework

- Function well and add to the overall quality of the area over the lifetime of the development
- Establish or maintain a strong sense of place
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development
- Be sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change
- Create places that are safe, inclusive and accessible which provide a high standard of amenity for existing and future users
- Be visually attractive as a result of good architecture, layout and landscaping

Paragraph 226 advises that existing policies should not be considered out of date simply because they were adopted prior to the publication of this Framework (as in the case of the policies of the Core Strategy and the Site Allocations and Development Management DPD), but that due weight should be given to the relevant policies according to their degree of consistency with the Framework. It is clear that the design based policies set out in the Development Plan are inconsistent with the latest guidance set out in the Framework and that they should be given lesser weight in the consideration of the application as a result.

Development Plan Policies/Design Considerations

The Development Plan for this site consists of the policies of adopted Hinckley and Bosworth Core Strategy and the Site Allocations and Development Management Policies (SADMP) Development Plan Document.

Hinckley and Bosworth Core Strategy, 2009

The Core Strategy was adopted by the Council in December 2009 and provides the spatial strategy for the District to 2026. The policies outlined below are the most relevant to the application.

Policy 13 indicates that Kirkby Mallory is categorised as a Rural Hamlet which has limited services and generally relies on Key Rural Centres or surrounding urban areas for schooling, employment and the provision of goods and services. The Council will support housing development within settlement boundaries that provide a mix of housing types and tenures and that meets Local Needs. In this case, a replacement rather than a new dwelling is proposed so there is no conflict with policy 13. The Council will also require developments to be of the highest environmental standards as required by policy 24 of the Core Strategy.

Policy 24: Sustainable Design and Technology expects all residential developments to meet sustainability targets set out in Building a Greener Future. Whilst this policy advice has been superseded by later guidance, the applicant

would seek to provide a development which meets the highest standards of energy efficiency and construction possible given the constraints of a building conversion scheme.

Site Allocations and Development Management Policies Development Plan Document, 2016

The Borough wide diagram shows that the application site does not have any specific allocation.

The policies outlined below are the most relevant to the application.

Policy DM1 – Presumption in Favour of Sustainable Development reiterates the presumption provided in the Framework that planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole; or specific policies in the Framework indicate that development should be

Development Plan Policies/Design Considerations

restricted. As indicated in relation to paragraph 11 of the Framework earlier in this statement, it is considered that the adverse impacts of the proposal would be minimal and that when set against the benefits, the conclusion should be to grant planning permission for the proposals. There are not considered to be any specific policies in the Framework which indicate that this development should be restricted.

Policy DM4 – Safeguarding the Countryside and Settlement Separation advises that to protect the countryside (which would include all areas outside of Settlement Boundaries), development in the countryside would be considered sustainable in only certain circumstances, such as, inter alia, the change of use, re-use or extension of existing buildings. The application proposals would not benefit from any of the circumstances listed in policy DM4, however, the application relates to the replacement of a existing dwelling as a self-build development and policy DM4 is considered out of date by virtue of the current deficiency in five year housing land supply.

Policy DM10 – Development and Design advises that developments will be permitted where they comply with a number of design requirements. These include, inter alia, not having a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings and ensuring that the amenity of occupiers of the

proposed development would not be adversely affected by activities in the vicinity of the site.

The design of the scheme should complement or enhance the character of the surrounding area with regard to scale, layout, design, materials and architectural features. Furthermore, in relation to materials, the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally. Proposals should also incorporate a high standard of landscaping where this would add to the quality of the design. Charging points for electric or low emission vehicles should also be provided where feasible. The proposed development has been designed to meet these requirements.

Policy DM18 – Vehicle Parking Standards advises that all proposals for new development will be required to provide an appropriate level of parking provision. The application proposals include a three car garage which could provide a convenient space for EV charging together with surfaced space for three further vehicles off the road.

Development Plan Policies/Design Considerations

Supplementary Planning Guidance

Hinckley and Bosworth Borough Council adopted The Good Design Guide as a Supplementary Planning Document in May 2020.

The aim of the guidance is to substantially raise design quality in the Borough whilst ensuring that the local identity and heritage of the Borough is preserved and enhanced. Of relevance to the proposal is the following advice:

Section 4: New residential development provides recommended separation distances and garden sizes, all of which are complied with by the proposals.

General principle guidance is provided for detailing in terms of design quality and appearance, boundary treatments and materials, all of which are relevant to the proposals and have been followed in drawing up the scheme.

Design Constraints and Opportunities

Constraints

- Ensuring that the scale and massing of the proposed dwelling would be comparable to that of existing dwelling;
- Ensuring that the proposed new vehicular access was safe and suitable.

Opportunities

- Opportunity to create an attractive, bespoke self-build dwelling meeting the needs of the applicants; and
- The opportunity to improve the appearance of the immediate site surroundings following the removal of the existing buildings.

Development Plan Policies/Design Considerations

Design Principles

- The erection of a new bespoke, contemporary dwelling that enhances the character and appearance of this part of the village.
- The provision of a good level of garden space and other residential space for car parking, turning etc. which also protects and enhances character and appearance.
- To ensure residential amenity is protected for all properties.
- To provide a bespoke design befitting the site and respecting adjoining dwellings.

Site Use

As referred to earlier, the application site lies outside of the Settlement Boundary of Kirkby Mallory as defined in the SAMP DPD, however, the proposal relates to a replacement self-build dwelling and not a new dwelling so the proposal should not be restricted on the grounds that it is in the open countryside. Furthermore, as the Council is unable to demonstrate a five year supply of deliverable housing sites at the present time, the settlement boundary policies are considered to be out of date and accordingly the principle of development should be considered acceptable.

Given that the application proposal is for a replacement residential dwelling (self-build) uses, it is not considered that the use of the land for residential development requires any further justification. Alternative uses for the site (including commercial uses) would not be acceptable in terms of their effect on residential amenity or the character of the area.

The principle of the proposed use is considered acceptable in accordance with **the Framework, Policies 13 and 24 of the adopted Core Strategy and policies DM1 and DM4 of the SAMP DPD.**



Location Plan

Amount of Development

The application proposes the erection of a replacement two storey dwelling (following the demolition of the existing buildings) and the erection of a four car garage building together with reconfiguration of the existing private garden.

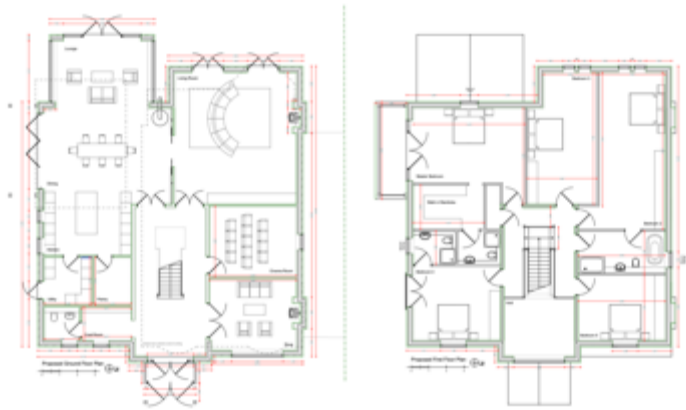


Layout Plan

Layout

Access to the site would be from a new vehicular access from Newbold Road. Access would be provided to a new four car garage building with space for additional parking and turning at the front of it. The proposal can therefore create a legible layout that protects the character and appearance of the area and would enhance its surroundings.

As indicated earlier in this statement, the application proposes a replacement two storey five bedroom dwelling. The maximum ridge height of the dwelling would be approximately 9.5 metres.



Proposed Plans

Amount of Development

Layout

The proposed layout and the amount of development is considered to be appropriate for the site and it can be accommodated within any detriment to the amenity enjoyed by adjoining neighbours. It should therefore be considered to comply with **the Framework and Policies 13 and 24 of the adopted Core Strategy and policies DM1, DM4, DM10 and DM18 of the SAMP DPD and the Good Design SPD.**

Appearance

The submitted scheme design highlights how it would be possible to integrate a new contemporary replacement dwelling meeting the needs of the applicants into sensitive environment by reflecting but not mimicking the appearance and scale of nearby dwellings and best practice in modern architecture.



Proposed front elevation

The design and detailing of the replacement dwelling would be appropriate in its setting but it would include some contemporary elements including large areas of glazing, as shown on the submitted elevation drawings.

Landscaping



3D Render

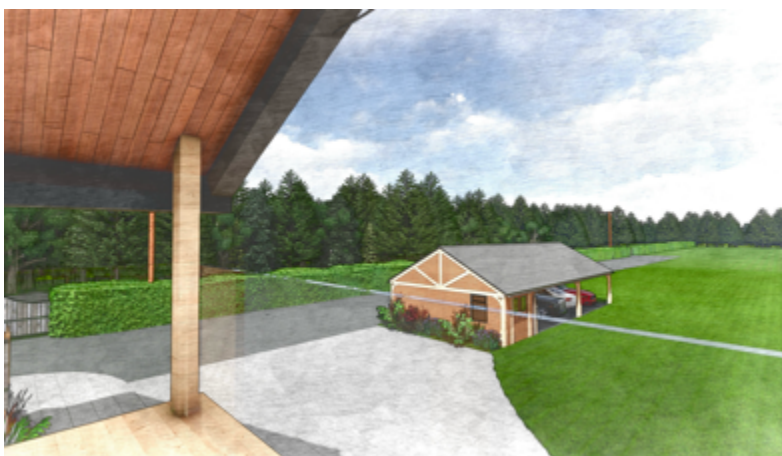
The roof of the building would provide an appropriate high pitch and casement style windows would provide light to both ground and first floors.

As stated earlier in this statement, the overall design approach has been to provide bespoke accommodation that respects the character and appearance of the surrounding area. This has been successfully achieved by utilizing a high quality design and appropriate materials and ensuring that residential amenity is safeguarded. The submitted plans show that the design and detailing of the dwelling would be high quality as required by the Framework and by the development plan.

Appearance

The proposal demonstrates how the appearance of new development can successfully assist with integrating it into its surroundings. The proposal would preserve the character and appearance of the area and overall, therefore it should be considered in line with **the Framework and Policies 13 and 24 of the adopted Core Strategy and policies DM1, DM4 and DM10 of the SAMP DPD and the Good Design SPD.**

The scheme would be accompanied by a high standard of landscaping in the form of a scheme of additional planting as part of the reconfiguration of the garden to the dwelling.



3D Render

Landscaping

Final details of the proposed landscaping may be conditioned in respect of the replacement dwelling, however, it is considered that the proposal deals with this issue well and that this should, therefore be considered acceptable in compliance with **the Framework, Policy 13 of the Core Strategy, Policies DM1, DM4 and DM10 of the SADMP and the Good Design SPD.**

Access and Conclusions

Access

As indicated above, access to the garaging/parking area would utilize a new vehicular access to/from Newbold Road.

No significant increase in vehicle movements would arise and the development would be carried out to the latest Leicestershire County Council standards to ensure that highway safety would not be undermined.

The submitted scheme shows ample room for parking for the replacement dwelling.

The proposal is therefore more than capable of creating sufficient parking and acceptable pedestrian and vehicular access. It is therefore in conformity with **Policy DM18 of the SADMP and the Good Design SPD**.

Conclusion

This proposal is seeking detailed planning permission for the demolition of a dwelling and its replacement with a new detached self-build dwelling and garage at 31 Newbold Road, Kirkby Mallory.

The submitted scheme would provide a high quality, bespoke dwelling suitable for modern day living and, in my view, the submitted scheme indicates that with careful design and siting new development can complement the built character of the area. It can also be in keeping with the surrounding properties.

The proposal accords with all relevant national and Development Plan policy and it is considered that it should be granted permission.